

TOWNSEND and TOWNSEND and CREW LLP

By: 
Jennifer O'Brien

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

George Serbedzija et al.

Application No.: 10/678,765

Filed: October 2, 2003

For: METHODS OF SCREENING
AGENTS FOR ACTIVITY USING
TELEOSTS

Confirmation No.: 1627

Examiner: Valarie E. Bertoglio

Art Unit: 1632

SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT UNDER
37 CFR §1.97 and §1.98

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the references [in compliance with the requirements of 37 CFR §1.98(a)(2)] are enclosed.

It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

The references having citation designation numbers 191-207, which are cited herein, were cited in opposition proceedings opposing European Patent EP 1 644 733 B1 (cite no. 230), as were the following previously cited references: US Patent No. 6,299,858

(previously cited in an IDS submitted 01/08/2004); and Peterson et al., PNAS 97(24):12965-12969 (2000) (previously cited in an IDS submitted 04/25/2008; cite no. 124). The opposition brief is also cited herein (cite no. 229).

The following compending applications are directed to related subject matter and are commonly owned or under an assignment obligation to be commonly owned:

09/255,397 filed 02/22/1999, issued as US 6,299,858 on 10/09/2001;
previously cited in the IDS submitted 01/08/2004;

09/645,432 filed 08/23/2000, issued as US 6,656,449 on 12/02/2003;
previously cited in the IDS submitted 01/08/2004;

09/947,635 filed 09/05/2001, issued as US 7,041,276 on 05/09/2006;
previously cited in the IDS submitted 04/25/2008;

10/678,765 filed 10/02/2003, published as US 2004/0062712 on 04/01/2004;
previously cited in the IDS submitted 04/25/2008;

11/114,712 filed 04/25/2005, published as US 2005/0188426 on 08/25/2005;
previously cited in the IDS submitted 04/25/2008;

11/280,849 filed 11/15/2005, published as US 2006/0104905 on 05/18/2006;
previously cited in the IDS submitted 04/25/2008;

11/320,251 filed 12/27/2005, published as US 2006/0123487 on 06/08/2006;
previously cited in the IDS submitted 04/25/2008;

11/515,355 filed 09/01/2006, published as US 2007/0143865 on 06/21/2007;
previously cited in the IDS submitted 04/25/2008; and

11/927,473 filed 10/29/2007; previously cited in the IDS submitted
04/25/2008.

The following commonly owned abandoned/expired applications or abandoned/expired applications under an assignment obligation to be commonly owned are directed to related subject matter:

60/075,783 filed 02/23/1998; previously cited in the IDS submitted
04/25/2008; and

60/100,950 filed 09/18/1998; previously cited in the IDS submitted
04/25/2008.

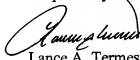
Applicant understands the Examiner can access papers from the prosecution of the cited cases electronically via PALM. However, if the Examiner has difficulty obtaining papers from that source he or she are invited to call the undersigned who will be happy to supply them.

As provided for by 37 CFR §1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

This IDS is being filed before the mailing date of the final Office Action or Notice of Allowance.

Please charge the IDS fee of \$180 to Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



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